

FILED
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U.S. DISTRICT COURT E.D.N.Y.
★ APR 21 2005 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

P.M. _____
TIME A.M. _____

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GARDEN CITY BOXING CLUB, INC.,
as Broadcast Licensee of the November 27, 2004
Barerra/Morales Program,

Plaintiff,

05 CV 3692 (SJ)

- against

ORDER

RAMON RODRIGUEZ, individually and as an
officer, director, shareholder, and/or principal of
MAMBO BAR CORP. d/b/a MAMBO BAR &
RESTAURANT a/k/a MAMBO BAR, INC., and
MAMBO BAR CORP. d/b/a MAMBO BAR &
RESTAURANT a/k/a MAMBO BAR, INC.,

Defendants.
-----X

A P P E A R A N C E S:

LONSTEIN LAW OFFICE, P.C.

Julie Cohen Lonstein, Esq.

1 Terrace Hill, Box 351

Ellenville, NY 12428

Attorney for Plaintiff

JOHNSON, Senior District Judge:

Before the Court is a Report and Recommendation (the "Report"), prepared by
Magistrate Judge Joan M. Azrack¹ in response to an order of this Court dated January

¹The Court thanks Judge Azrack for her efforts in this regard and for the thorough and thoughtful Report she prepared.

14, 2006.² Judge Azrack filed the Report on March 21, 2006, and provided the parties until April 4, 2006, to file any objections. No objections have been filed.

A district court judge may designate a magistrate judge to hear and determine certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion. See 28 U.S.C. § 636(b)(1). Within 10 days of service of the recommendation, any party may file written objections to the magistrate's report. Id. Upon *de novo* review of those portions of the record to which objections were made, the district court judge may affirm or reject the recommendations. Id. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. See Thomas v. Arn, 474 U.S. 140, 150 (1985).

As mentioned, no objections were filed within the allotted time period. Thus, upon review, the Court adopts and affirms the Report in its entirety.

The Clerk of Court is hereby directed to enter JUDGMENT in favor of Plaintiff. Plaintiff is entitled to an award in the amount of \$2,747.50 in statutory damages, \$10,000 in enhanced damages, and \$1,687.50 in attorney's fees and costs, for a total damage award of \$14,435. The Clerk of Court is directed to close this case.

SO ORDERED.

²Familiarity with the facts and procedural posture of the case are presumed.

Dated: April 19, 2006
Brooklyn, NY

s/SJ

Senior U.S.D.J.

cc: Ramon Rodriguez
411 Johnson Avenue
Brooklyn, New York 11206
Defendant

Mambo Bar Corp.
411 Johnson Avenue
Brooklyn, New York 11206
Defendant